

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION OF WATER APPROPRIATION A-18559 AND PLAN P-17139

WATER DIVISION 1-D

Background

1. Plan number P-17139 and surface water appropriation A-18559, were approved by the Department of Natural Resources (Department) on March 10, 2008.
2. Appropriation A-18559 is an appropriation that allows the Lower Big Blue Natural Resources District (LBBNRD) to store 638.0 acre-feet of water from a tributary to Turkey Creek in Turkey Creek Reservoir Number 3, located in the E½SE¼ of Section 23, Township 7 North, Range 1 West of the 6<sup>th</sup> P.M. in Fillmore County.
3. The approval of appropriation A-18559 was conditional upon construction beginning by September 10, 2008.
4. On September 18, 2008, the Department received from David Clabaugh, Manager of the LBBNRD, regarding A-18559 verbal confirmation that construction had not begun.
5. Nebraska revised statutes, section 46-238, provide for the cancellation of an appropriation when the appropriator is not in compliance with the construction begin date.

Order

IT IS HEREBY ORDERED appropriation A-18559 and plan number P-17139 are CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 24 , 2008

/s/  
Brian P. Dunnigan, P.E., Acting Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on November \_\_\_\_\_, 2008, to the following:

David Clabaugh, Manager  
Lower Big Blue Natural Resources District  
PO Box 826  
Beatrice, Nebraska 68310